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Security Council

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Security Council Committee established pursuant to resolution 1540 (2004)

Letter dated 7 November 2005 from the Permanent Representative of Uruguay to the United Nations addressed to the Chairman of the Committee

I have the honour to reply to note verbale S/AC.44/2005/DDA/OC.56 of 31 August 2005 concerning the implementation of Security Council resolution 1540 (2004). In that connection, and on instructions from the Ministry of Foreign Affairs of Uruguay, I have the honour to transmit the following communiqué:

Uruguay welcomes and shares the interest of the Security Council Committee established pursuant to resolution 1540 (2004) in establishing a transparent and cooperative dialogue. To that end, Uruguay is diligently honouring its commitment to implement the aforementioned resolution. That commitment is reflected in the text of the matrix drawn up by the Committee. Uruguay has no objections to the information included by the Secretariat. However, we would like to add a number of new elements which complement the information contained in various sections of the matrix, namely:

- Uruguay participated actively in the Conference to Consider and Adopt Proposed Amendments to the Convention on the Physical Protection of Nuclear Materials (Vienna, 4-8 July 2005). On 8 July 2005, the Permanent Representative of Uruguay to the International Atomic Energy Agency (IAEA) signed the amendments adopted by the Conference. The text of the amendments is currently being ratified by Parliament;

- On 16 September 2005 in New York, during the "Focus 2005" event, the President of the Republic, Tabaré Vázquez, signed the International Convention for the Suppression of Acts of Nuclear Terrorism;

- Uruguay also wishes to report that, on 30 September 2005, it received the declaration of verification of consistency in respect of its national and international transfers, in accordance with section 4.1.1. of the agreement between IAEA and the Government of Uruguay for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons. On the basis of the information contained in the declaration, IAEA confirmed on 15 September 2005 that there were no inconsistencies in national

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transfers or international transfers involving Uruguay as the exporter or in international transfers involving Uruguay as the recipient.

– The Inter-Ministerial Committee for the Prohibition of Chemical Weapons (CIPAQ) is preparing a preliminary draft law on the reform of the Penal Code, which contains provisions that incorporate into national law the offences laid out in the Chemical Weapons Convention. The drafting process is nearing completion, at which point the draft will be submitted to Parliament.

The amended matrix is attached.

(*Signed*) Alejandro **Artucio**
Ambassador
Permanent Representative

Annex to the letter dated 7 November 2005 from the Permanent Representative of Uruguay to the United Nations addressed to the Chairman of the Committee

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: **Uruguay**
Date of Report: 22 December 2004

	Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	YES	If YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks (information refers to the page of the English version of the report or an official web site)
1	General statement on non-possession of WMD	X	No weapons of mass destruction have been developed, produced or acquired	Page 3 of report
2	General statement on commitment to disarmament and non-proliferation	X		Page 1 of report
3	General statement on non-provision of WMD and related materials to non-State actors	X		Page 16 of report, Act No. 14.026
4	Biological Weapons Convention (BWC)	X	Ratified on 6 April 1981	Page 16 of report, Act No. 15.101
5	Chemical Weapons Convention (CWC)	X	In force since 29 April 1997	Page 14 of report, Act No. 16.520
6	Nuclear Non-Proliferation Treaty (NPT)	X	Deposited on 31 August 1970	Page 16 of report, Act No. 13.859; http://disarmament.un.org:8080/TreatyStatus.nsf
7	Comprehensive Nuclear Test Ban Treaty (CTBT)	X	Ratified on 21 September 2001	Page 13 of report, Act No. 17.348
8	Convention on Physical Protection of Nuclear Material (CPPNM)	X	In force since 23 November 2003	Pages 10 and 13 of report, Act No. 17.680; http://www.aea.org/Publications/Documents/Conventions/cppn_status.pdf
9	Hague Code of Conduct (HCOC)	X	Signed	http://www.aussenministerium.at/upmedia/1679_list_of_hcoc_subscribing_states.doc
10	Geneva Protocol of 1925	X	Deposited on 12 April 1977	http://disarmament.un.org:8080/TreatyStatus.nsf
11	International Atomic Energy Agency (IAEA)	X	Since 1963	Page 16 of report, Act No. 13.098; http://www.aea.org/About/Policy/MemberStates/
12	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Tlatelolco, ratified on 20 August 1968	Pages 14 and 16 of report
13	Other Conventions/Treaties	X	1. Convention on Nuclear Safety; 2. Vienna Convention on Civil Liability for Nuclear Damage and its protocols; 3. Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency; 4. Convention on Early Notification of a Nuclear Accident; 5. Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water; 6. Paris Convention on Third Party Liability in the field of Nuclear Energy; 7. Joint Convention on the Safety of Spent Fuel and on the Safety of Nuclear Waste. Not yet ratified	Pages 13, 14 and 16 of report
14	Other Arrangements			
15	Other			

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OP 2 - Biological Weapons (BW)

State: **Uruguay**
Date of Report: 22 December 2004

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document	
1	Manufacture/produce					
2	Acquire					
3	Possess					
4	Stockpile/store					
5	Develop					
6	Transport					
7	Transfer					
8	Use					
9	Participate as an accomplice in a.m. activities					
10	Assist in a.m. activities					
11	Finance a.m. activities					
12	A.m. activities related to means of delivery					
13	Involvement of non-State actors in a.m. activities					
14	Other	X	Decree-Law 15,101 of 24 December 1980			Page 15 of report

OP 2 - Chemical Weapons (CW)

State: **Uruguay**
Date of Report: 22 December 2004

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1	Manufacture/produce	X	1. Act 10,415 of 13 February 1943. 2. Regulatory Decree No. 2605 of 7 October 1943. 3. Decree No. 322/04 of 9 September 2004			Pages 3 and 17 of report. The Committee has begun work on a draft law
2	Acquire	X				
3	Possess	X				
4	Stockpile/store	X				
5	Develop	X				
6	Transport					
7	Transfer					
8	Use	X	1. Act 10,415 of 13 February 1943. 2. Regulatory Decree No. 2605 of 7 October 1943			Page 3 of report
9	Participate as an accomplice in a.m. activities					
10	Assist in a.m. activities					
11	Finance a.m. activities	X	Act No. 17,835			
12	A.m. activities related to means of delivery					
13	Involvement of non-State actors in a.m. activities					
14	Other	X	Decree No. 322/04 of 9 September 2004: acquisition, packaging, ownership, shipping	?	CIPAC is in the process of drawing up a draft law to define the administrative and criminal penalties applicable to those who contravene the self-executing provisions of the Treaty or the national rules relating to it	Pages 4 and 17 of report

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OP 2 - Nuclear Weapons (NW)

State: **Uruguay**
Date of Report: 22 December 2004

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document	
1	Manufacture/produce	X			Non-Proliferation Treaty	
2	Acquire	X			Non-Proliferation Treaty	
3	Possess	X			Non-Proliferation Treaty	
4	Stockpile/store	X			Non-Proliferation Treaty	
5	Develop	X			Non-Proliferation Treaty	
6	Transport					
7	Transfer					
8	Use					
9	Participate as an accomplice in a.m. activities	X	Penal Code			
10	Assist in a.m. activities	X	Penal Code			
11	Finance a.m. activities	X	Penal Code			
12	A.m. activities related to means of delivery	X	Penal Code			
13	Involvement of non-State actors in a.m. activities	X	Penal Code			
14	Other	X	Act No. 13,359			Page 16 of report

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials

State: Uruguay
Date of Report: 22 December 2004

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
1	Measures to account for production					Not applicable, since their production is prohibited
2	Measures to account for use					Not applicable, since their use is prohibited
3	Measures to account for storage					Not applicable
4	Measures to account for transport					Not applicable
5	Other measures for accounting					Not applicable
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage					
9	Measures to secure transport			X	1. Decree No. 347 of 19 September 1995, 2. MERCOSUR Agreement on Facilitation of International Road Transportation of Dangerous Goods of 17 December 1994	Pages 11 and 13 of report
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transport					
12	Licensing/registration of facilities/persons handling biological materials	X	Decree No. 160 of 21 May 1997	X	Act No. 17,292, article 64 this is an amendment to the Penal Code	Pages 8 and 9 of report
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					
15	Regulations for genetic engineering work					
16	Other legislation/ regulations related to safety and security of biological materials	X	1. Act No. 16,082 of 18 October 1989, 2. Decree No. 160 of 21 May 1997, 3. Basic Law No. 9,202 of 12 January 1934		Act No. 17,292, article 64 this is an amendment to the Penal Code	Pages 7 and 8 of report
17	Other					

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OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials

State: **Uruguay**
Date of Report: 22 December 2004

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Measures to account for production	X	Decree No. 322/04 of 9 September 2004			Page 17 of report
2 Measures to account for use	X				
3 Measures to account for storage	X				
4 Measures to account for transport	X	Decree No. 322/04 of 9 September 2004			
5 Other measures for accounting	X	Decree No. 322/04 of 9 September 2004			
6 Measures to secure production				Decree No. 322/04 is applicable in respect of chemicals listed in schedules 1, 2 and 3	Not applicable, since production, use and stockpiling are prohibited. A draft decree on the functioning of the Inter-Ministerial Committee (CIPAQ) is currently being drafted
7 Measures to secure use				Decree No. 322/04 is applicable in respect of chemicals listed in schedules 1, 2 and 3	Not applicable, since production, use and stockpiling are prohibited. A draft decree on the functioning of the Inter-Ministerial Committee (CIPAQ) is currently being drafted
8 Measures to secure storage				Decree No. 322/04 is applicable in respect of chemicals listed in schedules 1, 2 and 3	Not applicable, since production, use and stockpiling are prohibited. A draft decree on the functioning of the Inter-Ministerial Committee (CIPAQ) is currently being drafted

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials

State: **Uruguay**
Date of Report: 22 December 2004

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	If YES, indicate source document	YES	If YES, indicate source document	
1 Measures to account for production	X	Decree No. 519			Nuclear weapons and related materials are not produced. Decree No. 519 is applicable to equipment that generates ionizing radiation.
2 Measures to account for use	X	Decree-Law No. 14.541 of 20 July 1976			Page 18 of report
3 Measures to account for storage	X				
4 Measures to account for transport					
5 Other measures for accounting					
6 Measures to secure production	?	Decree No. 519	X		Nuclear weapons and related materials are not produced. Decree No. 519 is applicable to equipment that generates ionizing radiation.
7 Measures to secure use	X	Executive Decree No. 151/2004	X	1. Regulatory standards of the Nuclear Regulatory Authority of the Ministry of Industry, Energy and Mining. 2. Standards UY 100-117	Pages 10 and 15 of report
8 Measures to secure storage	X	Decree No. 519	X	Standard UY 108	Nuclear weapons and related materials are not produced. Decree No. 519 is applicable to equipment that generates ionizing radiation.
9 Measures to secure transport	X	Act No. 17.380 of 1 August 2003. Decree No. 158/85	X	1. Decree No. 347 of 19 September 1995. 2. MERCOSUR Agreement on Facilitation of International Road Transportation of Dangerous Goods of 17 December 1994	Pages 11-13 of report
10 Other measures for securing	X	Decree No. 519			

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11	Regulations for physical protection of facilities/materials/ transport	X	Executive Decree No. 151/2004	X	Executive Decree No 151/2004	Page 15 of report
12	Licensing of nuclear installations/entities/use of materials	X	Executive Decree No. 151/2004			Page 10 of report
13	Reliability check of personnel	X				
14	Measures to account for/secure/ physically protect means of delivery	X				Not applicable
15	National regulatory authority	X	Executive Decree No. 151/2004			Pages 10 and 11 of report
16	IAEA Safeguards Agreements	X	1. The Safeguards Agreement entered into force on 17 September 1976; 2. The Protocol Additional to that Agreement entered into force on 30 April 2004			Pages 3, 13 and 16 of report; http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Acceded on 25 February 2004			Pages 10 and 12 of report
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	The Nuclear Regulatory Authority is the contact point			Convention on Assistance in the Case of Nuclear Accident, obligation to notify IAEA if nuclear materials are lost
19	Other Agreements related to IAEA	X	Guidelines on the import and export of radioactive sources based on the provisions of the Code of Conduct. Acceded in June 2005			
20	Additional national legislation/regulations related to nuclear materials including CPPNM					
21	Other			X	The reactor at the Nuclear Research Centre was dismantled and the plutonium and enriched uranium were removed	Page 9 of report

OP 3 (c) and (d) and related matters from OP 6 and OP 10 -

State: Uruguay
Date of Report: 22 December 2004

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	If YES, indicate source document	YES	If YES, indicate source document	
1 Border control	X	Decree-Law No. 15,691 (Customs Code)	X	Customs Office, Ministry of Public Health and Ministry of Agriculture and Fisheries	Page 11 of report
2 Technical support of border control measures				Customs Office, Ministry of Public Health and Ministry of Agriculture and Fisheries	
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4 Enforcement agencies/authorities				Customs Office, Ministry of Public Health and Ministry of Agriculture and Fisheries	
5 Export control legislation in place					Customs regulations provide for inspections for customs purposes
6 Licensing provisions					Customs regulations provide for inspections for customs purposes
7 Individual licensing					Customs regulations provide for inspections for customs purposes
8 General licensing					Customs regulations provide for inspections for customs purposes
9 Exceptions from licensing					Customs regulations provide for inspections for customs purposes
10 Licensing of deemed export/visa					Customs regulations provide for inspections for customs purposes

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11	National licensing authority					
12	Interagency review for licenses					
13	Control lists					
14	Updating of lists					
15	Inclusion of technologies					
16	Inclusion of means of delivery					
17	End-user controls					
18	Catch all clause					
19	Intangible transfers					
20	Transit control					
21	Trans-shipment control					
22	Re-export control					
23	Control of providing funds					Not applicable
24	Control of providing transport services					
25	Control of importation	X	Act No. 17,220 of 30 October 1999 and a decree of 30 May 1989 prohibiting hazardous wastes of any kind			Pages 13 and 14 of report
26	Extraterritorial applicability					
27	Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 -

State: **Uruguay**
Date of Report: 22 December 2004

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	Decree-Law No. 15,691 (Customs Code)	X	Customs Office	Page 11 of report
2 Technical support of border control measures	X			CIPAQ	
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X			CIPAQ	
4 Enforcement agencies/authorities	X			CIPAQ	
5 Export control legislation in place	X			CIPAQ	
6 Licensing provisions	X			CIPAQ	License to export or import products containing substances listed in schedules 1, 2 and 3
7 Individual licensing	X			CIPAQ	License to export or import products containing substances listed in schedules 1, 2 and 3
8 General licensing	X			CIPAQ	License to export or import products containing substances listed in schedules 1, 2 and 3
9 Exceptions from licensing	X			CIPAQ	License to export or import products containing substances listed in schedules 1, 2 and 3
10 Licensing of deemed export/visa	X			CIPAQ	License to export or import products containing substances listed in schedules 1, 2 and 3
11 National licensing authority	X			CIPAQ	
12 Interagency review for licenses				CIPAQ	
13 Control lists				CIPAQ	
14 Updating of lists				CIPAQ	
15 Inclusion of technologies					
16 Inclusion of means of delivery					Not applicable
17 End-user controls				CIPAQ	Control of the use of substances listed in schedules 1, 2 and 3 for companies producing in excess of the limits
18 Catch all clause					
19 Intangible transfers					

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20	Transit control					
21	Trans-shipment control					
22	Re-export control					
23	Control of providing funds					Not applicable
24	Control of providing transport services					
25	Control of importation	X	Act No. 17,220 of 30 October 1999 and a decree of 30 May 1989 prohibiting hazardous wastes of any kind			Pages 13 and 14 of report
26	Extraterritorial applicability					
27	Other					

OP 3 (c) and (d) and related matters from OP 6. and OP 10 -

State: **Uruguay**
Date of Report: 22 December 2004

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	Decree-Law No. 15,691 (Customs Code)	X	Customs Office	Page 11 of report
2 Technical support of border control measures			X	Instruments capable of detecting radioactive materials will be provided	Page 11 of report
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4 Enforcement agencies/authorities	X	Nuclear Regulatory Authority of the Ministry of Industry, Energy and Mining			
5 Export control legislation in place	X	Includes prior certification			Page 11 of report
6 Licensing provisions					
7 Individual licensing					
8 General licensing					
9 Exceptions from licensing					
10 Licensing of deemed export/visa					
11 National licensing authority	X	Nuclear Regulatory Authority of the Ministry of Industry, Energy and Mining			Page 11 of report
12 Interagency review for licenses				Act No. 15,809	
13 Control lists				Act No. 15,809 and Decree No. 519	
14 Updating of lists					
15 Inclusion of technologies					
16 Inclusion of means of delivery					
17 End-user controls					
18 Catch all clause					
19 Intangible transfers					

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20	Transit control	X	Includes prior certification		Agreement between National Office of Nuclear Energy and Technology and Customs Office	Page 11 of report
21	Trans-shipment control					
22	Re-export control					
23	Control of providing funds	?	Act No. 17,835 of 23 September 2004			Page 12 of report
24	Control of providing transport services					
25	Control of importation	X	1. Includes prior certification; 2. Act No. 17,220 of 30 October 1999 and a decree of 30 May 1989 prohibiting hazardous wastes of any kind			Pages 11, 13 and 14 of report
26	Extraterritorial applicability					
27	Other			X	MERCOSUR/CMC/Dec. 12/00 and Dec. 3/01: programme to combat illicit trafficking in nuclear and/or radioactive materials	Page 11 of report

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

State: **Uruguay**
Date of Report: 22 December 2004

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)			
2	Control lists - other			
3	Assistance offered			
4	Assistance requested			
5	Assistance in place (bilateral/plurilateral/multilateral)	X	IAEA, OPCW	Request for assistance
6	Information for industry	X	1. Seminar on the Chemical Weapons Convention, including representatives of the chemical industry. 2. The Inter-Ministerial Committee invited representatives of private sector chemical industries	Pages 4 and 5 of report
7	Information for the public			

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